

Amendment No. _____

Signature of Sponsor

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 752

House Bill No. 771*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 50, is amended by adding the following as a new chapter:

50-11-101. Short title.

This chapter is known and may be cited as the "Tennessee Registered Apprenticeship Program Act."

50-11-102. Chapter definitions.

As used in this chapter:

(1) "Apprentice" means a worker who:

(A) Is at least sixteen (16) years of age; and

(B) Is employed to learn an apprenticeable occupation as defined in 29 CFR 29.4;

(2) "Apprenticeship":

(A) Means a program for the recruitment, selection, employment, and training of apprentices that is developed pursuant 29 CFR Parts 29 and 30, and the rules of the office of apprenticeship; and

(B) Includes a youth apprenticeship;

(3) "Apprenticeship agreement" means a written agreement between an apprentice and a sponsor that contains the terms and conditions of the apprentice's employment and training consistent with 29 CFR 29.7 and this chapter;



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(4) "Apprenticeship council" means the Tennessee apprenticeship council established pursuant to § 50-11-105;

(5) "Apprenticeship intermediary" means an entity that provides required technical instruction to an apprentice;

(6) "Cancellation" means the termination of the registration of a pre-apprenticeship or apprenticeship at the request of the sponsor;

(7) "Commissioner" means the commissioner of labor and workforce development;

(8) "Deregistration" means termination of the registration of a pre-apprenticeship or apprenticeship by the office of apprenticeship;

(9) "Employer" means a person employing an apprentice;

(10) "Office of apprenticeship" means the Tennessee office of apprenticeship established pursuant to § 50-11-103;

(11) "On-the-job training" means training provided by an employer that:

(A) Is provided to a paid apprentice who is engaged in productive work in an occupation, and the work provides knowledge or skills essential to the full and adequate performance of the occupation;

(B) Is made available through an apprenticeship that provides reimbursement to the employer of up to fifty percent (50%) of the apprentice's wage rate for the purpose of covering the employer's costs of providing the training and additional supervision related to the training, except as provided in 29 U.S.C. § 3174(c)(3)(H); and

(C) Is limited in duration as appropriate to the occupation for which the apprentice is being trained, based on the content of the training, the apprentice's prior work experience, and the apprentice's service strategy, as appropriate;

(12) "Pre-apprenticeship" means a program or set of services, in

partnership with a registered apprenticeship program, designed to prepare individuals to enter and succeed in a registered apprenticeship program;

(13) "Required technical instruction" means an organized and systematic form of instruction, other than on-the-job training, that:

(A) Is designed to provide an apprentice with knowledge of the subjects related to the apprentice's occupation; and

(B) Is given in a classroom, through occupational or industrial courses, through correspondence courses, or through other forms of self-study;

(14) "Sponsor" means a person operating a pre-apprenticeship or apprenticeship;

(15) "State registration agency" means the Tennessee agency responsible for registering pre-apprenticeships, apprenticeships, and apprentices, and for reviewing pre-apprenticeships and apprenticeships for compliance with state law and the state plan for equal employment opportunities; and

(16) "Youth apprenticeship" means an apprenticeship that is designed specifically for an apprentice under eighteen (18) years of age.

50-11-103. Creation of the office of apprenticeship.

(a) There is established the Tennessee office of apprenticeship within the department of labor and workforce development, which is Tennessee's state apprenticeship agency in accordance with 29 U.S.C. § 50, and 29 CFR Parts 29 and 30.

The office of apprenticeship is established for the following purposes:

(1) To serve as the state registration agency;

(2) To establish labor standards necessary to safeguard the welfare of apprentices;

(3) To establish rules regarding the registration of pre-apprenticeships,

apprenticeships, and apprentices; and

(4) To resolve disputes between parties to an apprenticeship agreement.

(b) The office of apprenticeship is operated by the commissioner or the commissioner's designee. The commissioner or the commissioner's designee may appoint a director for the office of apprenticeship. The director shall serve at the pleasure of the commissioner, manage the office of apprenticeship, and perform duties as are necessary to effectuate the intent of this chapter.

(c) No later than December 31, 2021, the commissioner or the commissioner's designee shall submit to the United States secretary of labor and the administrator of the national office of apprenticeship, an application to recognize the Tennessee office of apprenticeship as a state apprenticeship agency pursuant to 29 CFR 29.13(a)-(c).

50-11-104. Duties.

(a) The office of apprenticeship shall develop a nationally recognized state apprenticeship completion credential, as described in 29 CFR 29.5, for completing a registered apprenticeship program.

(b) The office of apprenticeship shall establish competency-based apprenticeship frameworks based on the regional and statewide compendia of valuable credentials.

(c) The office of apprenticeship may approve apprenticeship programs that are mandated by state or federal law as a result of the sponsor receiving funds or resources from the state, or funds or resources from the federal government, that require the creation of an apprenticeship program in accordance with a federal grant administered by this state.

(d) The commissioner may promulgate rules on behalf of the office of apprenticeship as necessary to effectuate the intent of this chapter pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5. A rule promulgated pursuant to this chapter must conform to the published apprenticeship

guidelines in 29 CFR Parts 29 and 30.

(e) The office of apprenticeship shall consider advice provided by the apprenticeship council when completing the office's duties as set forth in this section.

(f) A sponsor may apply to register a pre-apprenticeship or apprenticeship with the office of apprenticeship. A registered apprenticeship must include, at a minimum:

- (1) On-the-job training from an employer;
 - (2) Related technical instruction from an apprenticeship intermediary;
- and
- (3) The opportunity for an apprentice to earn a portable, nationally recognized industry credential.

(g) A sponsor of a registered pre-apprenticeship or registered apprenticeship is responsible for the administration and supervision of on-the-job training and related technical instruction for each apprentice in the registered pre-apprenticeship or registered apprenticeship.

50-11-105. Tennessee apprenticeship council.

(a) There is established the Tennessee apprenticeship council, which is an advisory council composed of individuals representing employer and employee organizations that are familiar with apprenticeable occupations.

(b) The apprenticeship council consists of eleven (11) members, as follows:

- (1) The commissioner of labor and workforce development, or the commissioner's designee;
- (2) The commissioner of education, or the commissioner's designee;
- (3) The chancellor of the Tennessee board of regents, or the chancellor's designee;
- (4) The executive director of the Tennessee higher education commission, or the executive director's designee;
- (5) Three (3) members representing employer organizations, appointed

by the governor, at least one (1) of whom represents a private sector employer organization and one (1) of whom represents a public sector employer organization;

(6) Three (3) members representing employee organizations, appointed by the governor, at least one (1) of whom represents a private sector employee organization and one (1) of whom represents a public sector employee organization; and

(7) One (1) member who is a public representative knowledgeable about apprenticeships and apprenticeable occupations, appointed by the governor.

(c) The terms for initial members begin on July 1, 2021. The terms of the initial eleven (11) appointments are three (3) years for three (3) members, four (4) years for four (4) members, and five (5) years for four (4) members, as designated by the governor in the governor's initial appointments. As the terms for the initial members expire, successors are appointed for five-year terms.

(d) Whenever a vacancy on the apprenticeship council exists, the governor shall appoint a member for the remainder of the unexpired term.

(e) The apprenticeship council shall:

(1) Advise the office of apprenticeship regarding the duties set forth in § 50-11-104; and

(2) Provide community outreach and education regarding the benefits of apprenticeship.

50-11-106. Activities not prohibited.

(a) This chapter does not:

(1) Require a sponsor of a pre-apprenticeship or apprenticeship to register with the office of apprenticeship;

(2) Affect funds duly distributed to a state agency, college or university, or other entity receiving state or federal funds in support of apprenticeship

activities; or

(3) Affect the department of education's status as the eligible agency to receive and administer career and technical education funding under the federal Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. § 2301 et seq.).

(b) The office of apprenticeship, with the consent of the sponsor, shall permit the apprenticeship intermediary to provide the required technical instruction and technical assistance, including the implementation of the competency frameworks established in § 50-11-104(b) that are aligned to the on-the-job training for apprenticeship programs registered or certified by the office of apprenticeship.

SECTION 2. The commissioner of labor and workforce development is authorized to promulgate rules on behalf of the office of apprenticeship to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. The headings to sections in this act are for references purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 803*

House Bill No. 1064

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 29, Part 1, is amended by adding the following as a new section:

(a) In any proceeding on a claim against a landlord for negligence in renting, leasing, or otherwise extending housing opportunities to a person who has been previously convicted of a criminal offense, a landlord is not liable based solely upon the fact that the person has been previously convicted of a criminal offense.

(b) In a cause of action against a landlord for negligence in renting, leasing, or otherwise extending housing opportunities to a person who has been previously convicted of a criminal offense, evidence that the person has been previously convicted of a criminal offense is not admissible.

(c) Subsections (a) and (b) do not apply when:

(1) The landlord had actual knowledge of the person's prior conviction for a violent offense, as defined in § 40-35-120(b) or a violent sexual offense, as defined in § 40-39-202; or

(2) The landlord, having actual knowledge of the person's commission of a violent offense, as defined in § 40-35-120(b), or a violent sexual offense, as defined in § 40-39-202, after beginning of the person's tenancy, was willful in allowing the person to continue to rent, lease, or otherwise use housing opportunities.



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(d) This section does not create a cause of action or expand an existing cause of action.

(e) The provisions of § 1-3-119 relative to implied rights of action apply to this section.

(f) As used in this section, "landlord" means the owner, lessor, or sublessor of the dwelling unit or the building of which the unit is a part, the manager of the premises, and employees and agents of the owner, lessor, or sublessor.

SECTION 2. This act takes effect July 1, 2021, the public welfare requiring it.

Amendment No. _____

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Comm. Amdt. _____

AMEND Senate Bill No. 242*

House Bill No. 1044

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 65-1-101, is amended by deleting the section and substituting instead the following:

(a) There is created the Tennessee public utility commission consisting of seven (7) part-time commissioners. The commission is composed as follows:

- (1) Two (2) commissioners appointed by the governor;
- (2) Two (2) commissioners appointed by the speaker of the senate;
- (3) Two (2) commissioners appointed by the speaker of the house of representatives; and
- (4) One (1) commissioner appointed by joint agreement among the governor, the speaker of the senate, and the speaker of the house of representatives.

(b)

(1) In making appointments pursuant to subsection (a), the governor, the speaker of the senate, and the speaker of the house of representatives shall strive to ensure that the Tennessee public utility commission is composed of commissioners who are diverse in professional or educational background, ethnicity, geographic residency, perspective, and experience. Except as otherwise provided in subdivision (b)(2), each commissioner of the commission must have at a minimum a bachelor's degree and at least three (3) years' experience in a regulated utility industry, in executive level management, or in one (1) or more of the following fields:



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- (A) Economics;
- (B) Law;
- (C) Finance;
- (D) Accounting; or
- (E) Engineering.

(2) One (1) appointee of the speaker of the senate in subdivision (a)(2) and one (1) appointee of the speaker of the house of representatives in subdivision (a)(3) must be a public member with no experience in a regulated utility industry.

(c)

(1) The term of office of each commissioner commences on July 1, following such commissioner's appointment.

(2) The commissioners of the commission are state officers, continue to serve until the commissioner's successor is appointed, and serve six-year terms as follows:

(A) The term of one (1) of the commissioners appointed pursuant to subdivision (a)(1) expires every six (6) years, beginning with the first term to end on June 30, 2017, and subsequent terms to end every six (6) years thereafter. The term of the commissioner reappointed by joint agreement among the governor, the speaker of the senate, and the speaker of the house of representatives that began on July 1, 2018, and is now an appointment of the governor expires every six (6) years, beginning with the term that ends June 30, 2024;

(B) The terms of the commissioners appointed pursuant to subdivisions (a)(2) and (3) expire every six (6) years, beginning with the first terms to end on June 30, 2014, and subsequent terms to end every six (6) years thereafter; provided, however, that the first term of the public

members appointed under subdivisions (a)(2) and (3) shall begin July 1, 2021, and expire June 30, 2026; and

(C) The term of the commissioner appointed pursuant to subdivision (a)(4) expires every six (6) years, beginning with the first term to end on June 30, 2018, and subsequent terms to end every six (6) years thereafter.

(d)

(1) All commissioner appointments must be confirmed by joint resolution adopted by each house of the general assembly within ninety (90) days after the appointment, if the general assembly is in session. If the general assembly is not in session, appointments must be confirmed within ninety (90) days after the general assembly next convenes following the appointment.

(2) Any vacancy on the commission must be filled by the original appointing authority for such position to serve the unexpired term, and each appointment must be confirmed in the same manner as the original appointment. If, however, the general assembly is not in session and a vacancy occurs, the appropriate appointing authority shall fill such vacancy by appointment and the appointee serves the unexpired term, unless the appointment is not confirmed within ninety (90) days after the general assembly convenes following the appointment to fill such vacancy.

SECTION 2. Tennessee Code Annotated, Section 65-1-104(d), is amended by deleting the first two sentences and substituting instead the following:

The chair shall assign each matter before the commission to a panel of five (5) voting members from among the commissioners. The remaining two (2) voting members of the commission, who are not assigned to a particular panel, shall not vote or deliberate regarding such matters.

SECTION 3. Tennessee Code Annotated, Section 65-1-105(b), is amended by deleting the language "five (5)" and substituting instead the language "seven (7)".

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it. Notwithstanding any provision of this act to the contrary, initial terms for the two (2) additional commissioner positions created pursuant to this act begin July 1, 2021.

Amendment No. _____

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Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1305

House Bill No. 390*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 32, is amended by deleting the chapter and substituting:

65-32-101. Short title.

This chapter is known and may be cited as the "Utilities' Cut-Off Procedures Act."

65-32-102. Chapter definitions.

As used in this chapter, "utility" means a utility that:

- (1) Furnishes electricity, gas, or water; or
- (2) Converts solid waste into heat, fuel, or energy.

65-32-103. Prohibition against disconnecting service for nonpayment of service on certain days.

(a) A utility governing body shall not discontinue service for reasons of nonpayment on:

- (1) A day on which reconnections cannot take place within twenty-four (24) hours of a disconnection; or
- (2) The day preceding, or following, a legal holiday, as defined in § 15-1-101.

(b) This chapter does not limit a utility's ability to discontinue service when necessary for safety-related reasons.

65-32-104. Policy governing discontinuation of service for nonpayment of service.



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The utility governing body, in conjunction with the utility management team, shall establish a policy governing the discontinuation of service for nonpayment of service.

The policy must comply with service practice standards and best practices for similarly situated utilities and with § 65-32-103.

SECTION 2. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 3. This act takes effect July 1, 2021, the public welfare requiring it.